



10-29-07

Attorney Docket No. 14609-0029

10/29

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lionel D. Jitaru :
Serial No.: 10/511,232 : Examiner: Vu, Bao Q.
Filed: August 4, 2005 : Group Art Unit: 2838

Title: **HIGH EFFICIENCY FLYBACK CONVERTER**

**CERTIFICATE OF MAILING BY EXPRESS MAIL
"Express Mail" Mail Label Number EV955648267US**

Sir:

I hereby certify that the following correspondence is being deposited in the United States Postal Service as Express Mail in an envelope addressed to, Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Response to Restriction Requirement (3 pages); and
2. A return receipt postcard.

Dated:

Oct. 25, 2007

Suzie Shields
Suzie Shields

GALLAGHER & KENNEDY, P.A.
Attorneys at Law
2575 East Camelback Road
Phoenix, AZ 80516-9225
Tel. No. (602) 530-8000
Fax No. (602) 530-8500



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ionel D. Jitaru :
Serial No.: 10/511,232 : Examiner: Vu, Bao Q.
Filing Date: August 4, 2005 : Art Unit: 2838

Title: **HIGH EFFICIENCY FLYBACK CONVERTER**

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Official Action dated September 27, 2007 and the restriction requirement made therein, applicant hereby elects the claims of Group II identified in the outstanding Official Action as drawn to "secondary side self-oscillating synchronous rectifier classified in class 323, subclass 19."

Applicant notes with appreciation the examiner's reconsideration of the earlier-issued Restriction Requirement in this application. Applicant is in agreement that claims 6, 7 and 33 are generic claims. By reason of its inclusion of the logic circuit of the control circuit as in the claims of Group I, it is believed that claim 34 would be more accurately included in Group I. Compare, for example, claim 1 and claim 34.

Applicant is not in agreement with the characterizations of (1) the claims of Group I as "drawn to flyback single-ended digitally controlled synchronous rectifier," (2) the claims of Group II as "drawn to a secondary side self-oscillating synchronous rectifier," and (3) the claims of Group III as "drawn to a differentiating circuit for a controlled switch." Rather, applicant contends, the claims speak for themselves. The claims of Group I are drawn to, in the case of

claims 1 - 5, "a DC-DC flyback converter" having the features set forth in those claims, and, in the case of claims 8 - 12, "a method of controlling conduction of a synchronous rectifier in a secondary circuit of a DC-DC flyback converter" having the features set forth in those claims. The claims of Group II are, in the case of claims 13 to 16, drawn to "a method of controlling conduction of a synchronous rectifier in a secondary circuit of a DC-DC flyback converter" having the features set forth in claims 13 - 16, and in the case of claims 23 and 24, drawn to a "DC-DC flyback converter" with the features set forth in claims 23 and 24. The claims of Group III likewise are, in the case of claims 17 - 22, drawn to "a method of controlling conduction of a synchronous rectifier in a secondary circuit of a DC-DC flyback converter" with features of claims 17 - 22, and, as to claims 25 - 32 and 35 - 38, are drawn to "a DC-DC flyback converter" with the features of those claims.

As regards claims 17 - 22 and 25 - 32, it is respectfully urged that these claims are not correctly classified in Group III. These are dependent from and incorporate by their dependencies all of the features of parent claims classified in Group II. The outstanding Official Action states that:

Although claims 17 - 22 are dependent on claim 13, they do not require the limitations of claim 13 they can be just as easily be dependent on the generic claim 6. Evidence of differing invention is evidence by applicant's independent claim 36 and 38.

Applicant respectfully disagrees. Claims 17 - 22 do, in fact, require the limitations of claim 13 by their dependency.

Reconsideration and reclassification of claims 17 - 22 and 25 - 32 in Group III is respectfully requested.

No fee is believed necessary, however the Commissioner is authorized to charge any insufficiency to the deposit account number 070135 of attorneys for applicant.

Any questions or suggestions regarding the application should be directed to the undersigned attorneys for applicant at the telephone number listed below or by email to the email address listed below.

Respectfully submitted,

GALLAGHER & KENNEDY, P.A.



Date: October 25, 2007

By: Thomas D. MacBlain
Reg. No. 24,583
Attorneys for Applicant

Gallagher & Kennedy, P.A.
2575 East Camelback Road
Phoenix, AZ 85016
(602) 530-8088 phone
(602) 530-8500 fax
tdm@gknet.com